

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
A Limited Liability Partnership

2 Including Professional Corporations  
JILL M. PIETRINI (Cal. Bar No. 138335)

3 jpietrini@sheppardmullin.com  
WHITNEY WALTERS-SACHS (Cal. Bar No. 237781)

4 wwalters-sachs@sheppardmullin.com  
1901 Avenue of the Stars, Suite 1600

5 Los Angeles, California 90067-6055

6 Telephone: (310) 228-3700

Facsimile: (310) 228-3701

7 Attorneys for Plaintiff Lions Gate  
Entertainment Inc.

8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11 WESTERN DIVISION

12 LIONS GATE ENTERTAINMENT  
INC., a Delaware corporation,

13 Plaintiff,

14 v.

15 TD AMERITRADE HOLDING  
16 CORPORATION, a Delaware  
corporation, TD AMERITRADE  
17 SERVICES COMPANY, INC. a  
Delaware corporation, HAVAS  
18 WORLDWIDE NEW YORK, INC., a  
Delaware corporation and DOES 1-10,  
19 inclusive,

20 Defendants.

Case No.

**COMPLAINT FOR FALSE  
ASSOCIATION, UNFAIR  
COMPETITION, TRADEMARK  
INFRINGEMENT, AND  
TRADEMARK DILUTION**

**DEMAND FOR JURY TRIAL**

21  
22 Plaintiff Lions Gate Entertainment Inc. (“Lions Gate”), for its complaint  
23 against defendants TD Ameritrade Holding Corporation (“TD Ameritrade”), TD  
24 Ameritrade Services Company, Inc. (“TD Services”), Havas Worldwide New York,  
25 Inc. (“Havas”) (collectively, “Defendants”), and Does 1-10, alleges as follows:

26 **JURISDICTION**

27 1. This action arises under the trademark and unfair competition laws of  
28 the United States, 15 U.S.C. § 1051, *et seq.*, and under California statutory and

1 common law of unfair competition. This Court has jurisdiction under 28 U.S.C. §§  
2 1331 and 1338(a) and (b), and § 1367, and 15 U.S.C. § 1121.

3 2. Venue is proper under 28 U.S.C. §§ 1391(a), (b) and (c) in this case  
4 because Defendants are deemed to reside in this District for venue purposes and are  
5 subject to personal jurisdiction in this District, and/or a substantial part of the events  
6 or omissions giving rise to the instant claims occurred in this District.

7 **PARTIES**

8 3. Plaintiff Lions Gate is, and at all relevant times was, a Delaware  
9 corporation having its principal place of business in Santa Monica, California.  
10 Lions Gate is in the business of creating, promoting, and distributing motion  
11 pictures and television programs, as well as licensing those properties for various  
12 merchandise and promotions and sponsorships.

13 4. On information and belief, Defendant TD Ameritrade is, and at all  
14 relevant times was, a Delaware corporation having its principal place of business in  
15 Omaha, Nebraska, and it does business in this District.

16 5. On information and belief, Defendant TD Services is, and at all relevant  
17 times was, a Delaware corporation having its principal place of business in Omaha,  
18 Nebraska. Defendant TD Services does business in this District and is registered to  
19 do business in California.

20 6. On information and belief, Defendant Havas is, and at all relevant times  
21 was, a Delaware corporation having its principal place of business in New York,  
22 New York, and it does business in this District.

23 7. Defendants are subject to personal jurisdiction in this District because  
24 they do business in this District and/or the claims arose in this District.

25 8. The true names, identities and capacities, whether individual, associate,  
26 corporate or otherwise, of Defendants DOES 1 to 10, inclusive, and each of them  
27 (“the DOE Defendants”), are unknown to Lions Gate at this time, who therefore  
28 sues the DOE Defendants by such fictitious names. When the true names and

1 capacities or participation of the DOE Defendants are ascertained, Lions Gate will  
2 amend this complaint to assert their true names, identities, and capacities. Lions  
3 Gate is informed and believes and thereon alleges that each of the DOE Defendants  
4 sued herein is responsible for the wrongful acts alleged herein, and is therefore  
5 liable to Lions Gate in some manner for the events and happenings alleged in this  
6 complaint. Lions Gate is informed and believes and thereon alleges that at all times  
7 herein mentioned, the DOE Defendants were and are doing business and/or residing  
8 in this District.

### 9 FACTS

#### 10 Lions Gate's Business And Trademarks

11 9. Lions Gate is a leading global entertainment company with a strong and  
12 diversified presence in the motion picture and television industry. Lions Gate has  
13 produced and distributed motion pictures, television shows, and related  
14 entertainment products, and has also been involved in motion picture financing,  
15 licensing, production, and distribution services.

16 10. Lions Gate's motion picture and television library includes more than  
17 15,000 titles, including the highly successful motion picture *Dirty Dancing*, starring  
18 the late Patrick Swayze and Jennifer Grey.

19 11. *Dirty Dancing* is a world famous, Oscar-winning film, which was  
20 released in 1987 and became a massive box office hit, with hundreds of millions of  
21 dollars in worldwide earnings reported. Two soundtracks from *Dirty Dancing* have  
22 each achieved Platinum sales levels (more than 1 million units sold) and continue to  
23 have strong sales worldwide. In recent years, the film was named one of the Top 10  
24 Date Movies of all time, among numerous other accolades, and its appeal to  
25 generations of fans has proven that its message of love conquering all is universal  
26 and timeless. *Dirty Dancing* is iconic and well known for the dance scenes and for  
27 certain lines or quotes in the motion picture.

28 12. Numerous works have been created, released, and distributed in

1 connection with the motion picture *Dirty Dancing*. For example, in or about 1987,  
2 there was a Dirty Dancing Live in Concert tour in the United States along with the  
3 release of a related video. In or about 1988, a *Dirty Dancing* television series was  
4 aired on the CBS network. The film has also been adapted for the stage as a major  
5 West End and Broadway musical, which was a huge commercial success and broke  
6 various box office records.

7 13. In December 2006, a *Dirty Dancing* reality television series premiered  
8 on the Women's Entertainment Network in which contestants competed for best  
9 dancer status. In 2007, to mark the film's 20th anniversary, Lions Gate re-released  
10 *Dirty Dancing* in theaters with a newly re-mastered print and bonus features, and  
11 released worldwide a 20th anniversary edition DVD to the home entertainment  
12 market, and a 20th anniversary soundtrack album, again to phenomenal success. To  
13 pay further tribute to this cult classic, Lions Gate also celebrated the 25th  
14 anniversary of *Dirty Dancing* just a few years back, and future plans for additional  
15 exploitation of this valuable property have been announced and are being closely  
16 followed by fans and industry executives alike.

17 14. During the last 25 years, Lions Gate has been able to capitalize on the  
18 popularity and recognition of its *Dirty Dancing* intellectual property rights and has  
19 enjoyed a great deal of success in the exploitation of those rights worldwide.

20 15. One of the most (if not the most) famous lines of *Dirty Dancing* is  
21 "Nobody puts Baby in a corner." This quote, said by Swayze at the climax of the  
22 film, has become unquestionably famous. Indeed, the American Film Institute voted  
23 "Nobody puts Baby in a corner" as one of the top 100 Most Popular Quotes from a  
24 motion picture. By virtue of the popularity of the *Dirty Dancing* motion picture and  
25 related properties and the significant publicity generated by them, among other  
26 things, this quote has developed secondary meaning, and become famous, and is  
27 unmistakably associated with the *Dirty Dancing* motion picture. The "Nobody puts  
28 Baby in a corner" quote is said by Swayze before the final dance scene between

1 Grey and Swayze, which ends in Swayze lifting Grey over his head and spinning her  
2 (the “Dance Lift”).

3 16. Lions Gate owns all right, title, and interest in and to the trademark  
4 DIRTY DANCING, as well as various other trademarks associated with the *Dirty*  
5 *Dancing* motion picture and the DIRTY DANCING mark. These additional marks  
6 include, but are not limited to, the trademark NOBODY PUTS BABY IN A  
7 CORNER for use with motion pictures and various items of merchandise.

8 17. Not only does Lions Gate have common law trademark rights in the  
9 DIRTY DANCING and NOBODY PUTS BABY IN A CORNER trademarks dating  
10 back to 1987, it also has registered the DIRTY DANCING trademark on the  
11 Principal Register of the United States Patent & Trademark Office (“PTO”) and in  
12 numerous countries throughout the world. Lions Gate owns three pending federal  
13 applications to register the NOBODY PUTS BABY IN A CORNER trademark,  
14 which have been approved by the PTO. Lions Gate’s trademark applications to  
15 register NOBODY PUTS BABY IN A CORNER are based on actual use of the  
16 mark for certain goods and on an intent to use the mark for the remaining goods  
17 identified in the applications. True and correct copies of the PTO website pages  
18 reflecting the applications to register the NOBODY PUTS BABY IN A CORNER  
19 trademark are attached hereto as **Exhibit A**.

20 18. Lions Gate possesses extensive goodwill and reputation in these  
21 trademarks, as the film has been released globally for nearly three decades, and its  
22 popularity is proven by the revenue generated from the film itself, merchandising,  
23 the soundtracks, and the musical stage show version of the film.

24 19. Lions Gate has expressly licensed the use of the DIRTY DANCING  
25 and NOBODY PUTS BABY IN A CORNER trademarks for the manufacturing,  
26 marketing, and sale of a variety of merchandise through approved licensees. Lions  
27 Gate also licenses scenes from *Dirty Dancing*, including the Dance Lift, to third  
28 parties, who use the *Dirty Dancing* property to advertise, market, or promote their

1 goods and services.

2       20. Lions Gate’s licensees are currently selling a variety of merchandise  
3 derived from and related to *Dirty Dancing*, including merchandise bearing and/or  
4 using the “Nobody puts Baby in a corner” quote from the movie—both in print and  
5 audio—and are offering services under the DIRTY DANCING and NOBODY  
6 PUTS BABY IN A CORNER trademarks throughout the United States.

7       21. By virtue of the popularity of *Dirty Dancing*, the significant sales of  
8 licensed merchandise, promotions with third parties, and the significant publicity  
9 relating to *Dirty Dancing*, among other things, Lions Gate’s DIRTY DANCING and  
10 NOBODY PUTS BABY IN A CORNER trademarks have developed secondary  
11 meaning and are famous.

12       22. Lions Gate’s goods and services offered under the DIRTY DANCING  
13 and NOBODY PUTS BABY IN A CORNER trademarks have come to be known to  
14 the purchasing public as conforming to certain standard of quality. As a result, the  
15 DIRTY DANCING and NOBODY PUTS BABY IN A CORNER trademarks and  
16 the goodwill associated with them are of tremendous value to Lions Gate and its  
17 authorized licensees and business partners.

#### 18 **Defendants And Their Infringing Actions**

19       23. Defendant Havas created an advertising campaign on behalf of  
20 Defendants TD Ameritrade and TD Services during 2014, which consisted of  
21 advertisements in various channels, including, but not limited to, an online video,  
22 digital display, social media, television, and print (the “Advertising Campaign”).

23       24. The Advertising Campaign was intentionally designed to create an  
24 association with the *Dirty Dancing* motion picture and the NOBODY PUTS BABY  
25 IN A CORNER trademark by marketing TD Ameritrade’s goods and services with  
26 phrases such as:

- 27       • “Nobody puts your old 401k in a corner. Take that baby and roll it  
28       over to an IRA. Then show us your retirement happy dance.”

(Facebook)

- “Nobody puts your old 401k in a corner. Take that baby and roll it over to an IRA. Do a #retirement happy dance.” (Twitter)
- “Nobody puts your old 401k in the corner,” “TD Ameritrade: Old 401(k) in a Corner,” and “Don’t let your old 401(k) to sit [sic] in the corner ...” (YouTube)
- “Nobody puts your old 401(k) in a corner” (spoken), and “Nobody puts your old 401(k) in the corner.” (written) (National television advertisement)

25. Because these taglines modified the iconic quote from the *Dirty Dancing* movie, Lions Gate may never have approved or licensed them, had Defendants sought Lions Gate’s consent at the outset.

26. Defendants featured these adulterated taglines with a reenactment or representation of the Dance Lift, namely, a still and/or moving image of a man lifting a piggy bank over his head after the piggy bank ran into the man’s arms (the “Infringing Artwork”). The Infringing Artwork was intentionally designed to be virtually identical to the Dance Lift, which again is the iconic and ultimate scene in the film in which Swayze lifts Grey above his head during their last dance together. The Infringing Artwork further creates a false association with Lions Gate and the *Dirty Dancing* motion picture. Documents showing examples of Defendants’ infringement and improper commercial exploitation of Lions Gate’s intellectual property rights associated with *Dirty Dancing* are attached hereto as **Exhibit B**.

27. Defendants’ use of the NOBODY PUTS BABY IN A CORNER trademark or a modification thereof together with the Dance Lift has caused and is likely to cause people to falsely or incorrectly believe that Lions Gate has approved, licensed, endorsed, sponsored, and/or authorized, or is associated with, TD Ameritrade’s products and/or services.

28. Confusion has occurred, or at a minimum, is likely given the near



1 identicalness of NOBODY PUTS BABY IN A CORNER trademark and  
2 Defendants' use of the phrase "Nobody puts your old 401k in a corner" with or in  
3 association with the words "baby" and "dance," as well as the visual similarity  
4 between the Infringing Artwork and the Dance Lift, which is the film's most iconic  
5 scene.

6 29. On information and belief, the Advertising Campaign (including the  
7 improper taglines and Infringing Artwork) ran from October 2014 through April 12,  
8 2015. The Advertising Campaign did not stop until Lions Gate learned of it and  
9 notified Defendants of their infringement, as described below. The Advertising  
10 Campaign or elements thereof may still be viewed on social media websites.

11 30. On April 2, 2015, Lions Gate sent a letter to TD Ameritrade,  
12 demanding that TD Ameritrade cease and desist its use of Lions Gate's intellectual  
13 property associated with the *Dirty Dancing* motion picture.

14 31. On April 9, 2015, Havas responded on behalf of itself and TD  
15 Ameritrade, taking the untenable position that Lions Gate did not have enforceable  
16 trademark rights in the line "Nobody puts Baby in a corner," and further claiming  
17 that the Advertising Campaign and Infringing Artwork were "so clearly parodic in  
18 nature—so as to avoid any confusion, infringement, or other claim." Defendants  
19 have since walked back from their meritless claim of parody after their initial  
20 response to Lions Gate's demand letter.

21 32. To the extent there was any doubt, Defendants' parody argument –  
22 meritless as it is – nevertheless made it clear that Defendants intended to draw a  
23 connection or association with Lions Gate's *Dirty Dancing*, the iconic quote  
24 "Nobody puts Baby in a corner," and the Dance Lift and deceive customers into  
25 believing that the Advertising Campaign was a Lions Gate-licensed, authorized, or  
26 sponsored work, when, in fact, it was not.

27 33. On April 9, 2015, Havas asserted that "all materials within our control  
28 have been pulled off or are in the process of being pulled off media ..." However,



on information and belief, an additional television advertisement(s) ran on April 12, 2015 and the Advertising Campaign or elements thereof still resides on social media websites. Further, Havas refused to make any monetary payment to Lions Gate to compensate Lions Gate for its lost license fees for Defendants' unauthorized use of Lions Gate's intellectual property, despite knowing that Lions Gate has expressly licensed the use of the DIRTY DANCING and NOBODY PUTS BABY IN A CORNER trademarks for the manufacturing, marketing, and sale of a variety of merchandise through approved licensees, and had licensed aspects of *Dirty Dancing* to third parties for use in promoting, marketing, or advertising their goods and services—just as TD Ameritrade did.

34. Between April 2015 and June 2015, Lions Gate continued to attempt to negotiate a settlement of its claims arising out of Defendants' unauthorized use of *Dirty Dancing's* iconic quote and Lions Gate's trademarks associated therewith. Despite Lions Gate's good faith attempt to settle the case, Defendants refused to compensate Lions Gate for their unauthorized use, resting, instead, on their indefensible position that they were free to exploit Lions Gate's intellectual property, without any consequence to them or consideration to Lions Gate.

35. Specifically, the following letters were sent between the parties from April 2015 to June 2015:

DATE	AUTHOR	RECIPIENT(S)
4/2/15	Lions Gate  (Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)	TD Ameritrade Holding Corporation and TD Ameritrade, Inc.  (Ellen L.S. Koplow, Esq., Executive Vice President, General Counsel, and Secretary of TD Ameritrade)
4/9/15	Havas Worldwide New York, Inc.  (Nancy R. Wynne, General Counsel, on behalf of Havas and TD Ameritrade Holding	Lions Gate  (Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)

1		Corporation)	
2	4/15/15	Lions Gate	TD Ameritrade Holding Corporation and TD Ameritrade, Inc. (Helen Odem, Esq., Counsel, Intellectual Property)
3		(Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)	Havas Worldwide New York, Inc. (Nancy R. Wynne, General Counsel)
4			
5			
6			
7	4/21/15	TD Ameritrade Holding Corporation and Havas Worldwide New York, Inc.	Lions Gate
8		(Andrew Baum of Foley & Lardner LLP)	(Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)
9			
10			
11	6/3/15	Lions Gate	TD Ameritrade Holding Corporation, TD Ameritrade, Inc., and Havas Worldwide New York, Inc.
12		(Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)	(Andrew Baum of Foley & Lardner LLP)
13			
14			
15	6/18/15	Lions Gate	TD Ameritrade Holding Corporation, TD Ameritrade, Inc., and Havas Worldwide New York, Inc.
16		(Whitney Walters-Sachs of Sheppard, Mullin, Richter & Hampton, LLP)	(Andrew Baum of Foley & Lardner LLP)
17			
18			

36. In its June 3, 2015 letter, Lions Gate requested Defendants to engage in earnest in settlement discussions, and expressly stated to Defendants that if a resolution could not be reached, Lions Gate would file an infringement action in U.S. District Court for the Central District of California.

37. On June 8, 2015, the parties discussed this dispute by telephone at Defendants' request, and Defendants presented Lions Gate with a settlement offer. Defendants expressly agreed not to file a declaratory judgment action without first contacting Lions Gate. Lions Gate promised the same with respect to filing an infringement action. This agreement was confirmed in writing by the parties

1 through a series of emails sent on June 8, 2015.

2 38. In its June 18, 2015 letter, Lions Gate presented a counteroffer to  
3 Defendant and requested a response to its counteroffer to settle by June 25, 2015.

4 39. On June 26, 2015, rather than respond to Lions Gate's settlement  
5 offer, and less than 24 hours after the deadline to respond to Lions Gate's settlement  
6 counteroffer, Defendants rushed to the courthouse and filed a preemptive  
7 declaratory judgment complaint in the Southern District of New York. Defendants  
8 did so despite the parties' agreement that they would not unilaterally terminate  
9 settlement talks and file a lawsuit without advance notice to the other side.

10 40. Defendants' decision to violate the parties' agreement and rush to the  
11 courthouse is the quintessence of forum shopping, designed to gain home court and  
12 substantive law advantages, and force Lions Gate to litigate thousands of miles from  
13 its principal place of business. All of this was done knowing that if the parties could  
14 not resolve their dispute, Lions Gate's choice of forum—which is entitled to great  
15 deference—would be in this District in Los Angeles, California.

### 16 **FIRST CAUSE OF ACTION**

#### 17 **(False Association and Unfair Competition—15 U.S.C. § 1125(a))**

18 41. Lions Gate repeats and realleges each and every allegation of  
19 paragraphs 1 through 40, above, as though fully set forth herein.

20 42. Defendants' unauthorized use of the NOBODY PUTS BABY IN A  
21 CORNER trademark or a modification of it, together with a representation or  
22 reenactment of the Dance Lift and other words and indicia associated with the *Dirty*  
23 *Dancing* motion picture, in conjunction with Defendants' businesses and the  
24 Advertising Campaign as alleged herein, constitutes a false designation of  
25 association, affiliation or sponsorship, and unfair competition in violation of  
26 15 U.S.C. § 1125(a). Defendants' activities falsely imply, indicate, or suggest that  
27 their activities and the Advertising Campaign are associated, affiliated, or connected  
28 with, or approved or sponsored by, Lions Gate or the *Dirty Dancing* motion picture.

1           43. As a direct and proximate result of Defendants' wrongful acts, Lions  
2 Gate has suffered and continues to suffer and/or is likely to suffer damage to its  
3 trademarks, motion picture, licensing program, and related goodwill. Defendants  
4 may continue to conduct or renew, unless restrained, their use of NOBODY PUTS  
5 BABY IN A CORNER trademark or other trademarks confusingly similar thereto,  
6 the Dance Lift, and other words or indicia associated with *Dirty Dancing*, and will  
7 cause irreparable damage to Lions Gate. Lions Gate has no adequate remedy at law  
8 and is entitled to an injunction restraining Defendants, their officers, members,  
9 agents, servants, and employees, and all persons acting in concert with Defendants,  
10 from engaging in further acts of false designation of association, sponsorship,  
11 affiliation, or connection, and acts of unfair competition.

12           44. Lions Gate is further entitled to recover from Defendants the actual  
13 damages that Lions Gate has sustained, is sustaining, and/or is likely to sustain as a  
14 result of Defendants' wrongful acts. Lions Gate is presently unable to ascertain the  
15 full extent of the monetary damages that it has suffered and/or is likely to sustain by  
16 reason of Defendants' acts of false designation of association, sponsorship,  
17 affiliation, or connection, and unfair competition.

18           45. Lions Gate is further entitled to recover from Defendants the gains,  
19 profits, and advantages that Defendants have obtained as a result of their wrongful  
20 acts. Lions Gate is presently unable to ascertain the extent of the gains, profits, and  
21 advantages that Defendants have realized by reason of their acts of false designation  
22 of association, sponsorship, affiliation, or connection, and unfair competition.

23           46. Because of the willful nature of Defendants' wrongful acts, Lions Gate  
24 is entitled to an award of treble damages and increased profits pursuant to 15 U.S.C.  
25 § 1117.

26           47. Lions Gate is also entitled to recover its attorneys' fees and costs of suit  
27 pursuant to 15 U.S.C. § 1117.

**SECOND CAUSE OF ACTION**

**(Statutory and Common Law Unfair Competition)**

48. Lions Gate repeats and realleges each and every allegation of paragraphs 1 through 47, above, as though fully set forth herein.

49. By reason of the foregoing, Defendants have been, and are, engaged in “unlawful, unfair or fraudulent business practices” in violation of §§ 17200 *et seq.* of the California Bus. & Prof. Code and acts of unfair competition in violation of the common law.

50. Lions Gate invested substantial time, skill, and money in developing its *Dirty Dancing* property rights.

51. Defendants misappropriated and used Lions Gate’s intellectual property at no cost and without the authorization or consent of Lions Gate, causing substantial injury to Lions Gate.

52. Defendants’ acts complained of herein are unlawful within the meaning of § 17200 *et seq.* of the California Bus. & Prof. Code in that they constitute practices that are forbidden by federal, state, and/or common law. Such practices are likewise unfair within the meaning of the statute, as they violate the spirit of trademark law, and the resulting harm to Lions Gate from these practices outweighs any benefit (to the extent there is any at all). Finally, Defendants’ acts complained of herein are fraudulent as used in § 17200, as members of the public are likely to be deceived by such acts.

53. Defendants’ acts complained of herein have damaged and will continue to damage Lions Gate irreparably. Lions Gate has no adequate remedy at law for these wrongs and injuries. The damage to Lions Gate includes harm to its NOBODY PUTS BABY IN A CORNER trademark and the goodwill associated therewith, Lions Gate’s licensing program, and to the *Dirty Dancing* motion picture that money cannot compensate. Lions Gate is therefore entitled to: (a) injunctive relief restraining and enjoining Defendants and their officers, members, agents,

servants, and employees, and all persons acting thereunder, in concert with, or on their behalf, from using the NOBODY PUTS BABY IN A CORNER trademark or any mark, name, symbol, or logo which is confusingly similar thereto, the Dance Lift, and other words or indicia associated with *Dirty Dancing*, in connection with the marketing or sale of any goods or services by Defendants; (b) Lions Gate's actual damages sustained as a result of Defendants' wrongful acts; (c) an accounting of Defendants' profits earned from the Advertising Campaign; (d) the award of Defendants' unjust profits, as well as sums sufficient to compensate Lions Gate for all harm suffered as a result of Defendants' conduct; and (e) punitive damages.

### **THIRD CAUSE OF ACTION**

#### **(Trademark Infringement—15 U.S.C. § 1125(a) and Common Law)**

54. Lions Gate repeats and realleges each and every allegation of paragraphs 1 through 53, above, as though fully set forth herein.

55. Lions Gate owns all right, title, and interest in and to the NOBODY PUTS BABY IN A CORNER trademark. Lions Gate markets and sells merchandise using this trademark and other trademarks associated with *Dirty Dancing*, though approved licensees, as part of its *Dirty Dancing* line of approved merchandise.

56. Defendants have used in commerce, without Lions Gate's permission or authorization, the NOBODY PUTS BABY IN A CORNER trademark in a manner that is likely to cause confusion or mistake and to deceive purchasers as to Lions Gate's and/or *Dirty Dancing*'s affiliation, connection, or association with, or approval or sponsorship of, Defendants, their businesses, the Advertising Campaign, and/or the Infringing Artwork.

57. Defendants' actions are intentional and were designed to capitalize on the goodwill, recognition, and fame associated with the *Dirty Dancing* motion picture and the NOBODY PUTS BABY IN A CORNER trademark.

58. Defendants' acts constitute infringement of the NOBODY PUTS

1 BABY IN A CORNER trademark in violation of the common law and under 15  
2 U.S.C. § 1125(a).

3 59. As a direct and proximate result of Defendants' wrongful acts, Lions  
4 Gate has suffered and continues to suffer and/or is likely to suffer damage to its  
5 trademarks, motion picture, licensing program, and goodwill. Unless restrained,  
6 Defendants may continue to use or resurrect their use of the NOBODY PUTS  
7 BABY IN A CORNER trademark or marks confusingly similar thereto and will  
8 cause irreparable damage to Lions Gate. Lions Gate has no adequate remedy at law  
9 and is entitled to an injunction restraining Defendants, their officers, members,  
10 agents, servants, and employees, and all persons acting in concert with Defendants,  
11 from engaging in further acts of infringement.

12 60. Lions Gate is further entitled to recover from Defendants the actual  
13 damages that Lions Gate has sustained, is sustaining, and/or is likely to sustain as a  
14 result of Defendants' wrongful acts.

15 61. Lions Gate is further entitled to recover from Defendants the gains,  
16 profits, and advantages that Defendants have obtained as a result of their wrongful  
17 acts.

18 62. Because of the willful nature of Defendants' wrongful acts, Lions Gate  
19 is entitled to an award of punitive damages under the common law, and treble  
20 damages and increased profits under 15 U.S.C. § 1117.

21 63. Lions Gate is also entitled to recover its attorneys' fees and costs of suit  
22 pursuant to 15 U.S.C. § 1117, as this is an exceptional case.

#### 23 **FOURTH CAUSE OF ACTION**

24 **(Dilution—15 U.S.C. § 1125(c); Cal. Bus. & Prof. Code § 14247)**

25 64. Lions Gate repeats and realleges each and every allegation of  
26 paragraphs 1 through 63, above, as though fully set forth herein.

27 65. Lions Gate has used the NOBODY PUTS BABY IN A CORNER  
28 trademark to identify its products and services relating to, and derived from, *Dirty*



1 *Dancing* before Defendants began using the NOBODY PUTS BABY IN A  
2 CORNER trademark in the Advertising Campaign and in conjunction with their  
3 businesses. The NOBODY PUTS BABY IN A CORNER trademark is inherently  
4 distinctive and has acquired distinctiveness through Lions Gate's extensive,  
5 continuous, and exclusive use of it.

6 66. The NOBODY PUTS BABY IN A CORNER trademark is famous and  
7 distinctive within the meaning of 15 U.S.C. § 1125(c)(1) and § 1127 and Cal. Bus.  
8 & Prof. Code § 14247. The NOBODY PUTS BABY IN A CORNER trademark  
9 was famous and distinctive before Defendants' first use of such trademark or a  
10 modification of it.

11 67. Defendants' unauthorized use of the NOBODY PUTS BABY IN A  
12 CORNER trademark or modification of it is likely to dilute the distinctive quality of  
13 the NOBODY PUTS BABY IN A CORNER trademark in violation of 15 U.S.C.  
14 § 1125(c) and Cal. Bus. & Prof. Code § 14247.

15 68. Defendants' acts complained of herein are likely to damage Lions Gate  
16 irreparably. Lions Gate has no adequate remedy at law for such wrongs and  
17 injuries. The damage to Lions Gate includes potential harm to its trademarks,  
18 goodwill, motion picture, and reputation that money cannot compensate. Lions Gate  
19 is, therefore, entitled to a preliminary and permanent injunction enjoining  
20 Defendants' use of the NOBODY PUTS BABY IN A CORNER trademark or any  
21 marks dilutive thereof.

22 69. Lions Gate is further entitled to recover from Defendants the actual  
23 damages sustained by Lions Gate as a result of Defendants' wrongful acts. Lions  
24 Gate is presently unable to ascertain the full extent of the monetary damages it has  
25 suffered by reason of Defendants' acts of dilution.

26 70. Lions Gate is further entitled to recover from Defendants the gains,  
27 profits, and advantages Defendants have obtained as a result of their wrongful acts.  
28 Lions Gate is presently unable to ascertain the extent of the gains, profits, and

1 advantages Defendants have realized by reason of Defendants' willful acts of  
2 dilution.

3 71. Because of the willful nature of Defendants' actions, Lions Gate is  
4 entitled to all remedies available under 15 U.S.C. §§ 1117 and 1118.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Lions Gate prays that this Court enter judgment against  
7 Defendants as follows:

8 1. Finding that Defendants have violated 15 U.S.C. § 1125(a) and the  
9 common law; have violated Cal. Bus. & Prof. Code § 17200 and the common law  
10 by engaging in unlawful, unfair, and fraudulent business practices and other acts of  
11 unfair competition; have infringed the NOBODY PUTS BABY IN A CORNER  
12 trademark under the common law and 15 U.S.C. § 1125(a); and have violated 15  
13 U.S.C. § 1125(c)(1) and Cal. Bus. & Prof. Code § 14247;

14 2. Ordering that Defendants and their officers, members, agents, servants,  
15 directors, employees, partners, representative, assigns, successors, related  
16 companies, and attorneys, and all persons in active concert or participation with  
17 Defendants or with any of the foregoing, be enjoined preliminarily during the  
18 pendency of this action and permanently thereafter from:

19 a. Using, promoting, advertising, publicizing, distributing,  
20 and posting the NOBODY PUTS BABY IN A CORNER trademark for any goods  
21 or services, the Infringing Artwork, or any other mark, name, symbol, or logo which  
22 is likely to cause confusion or to cause mistake or to deceive persons into the  
23 erroneous belief that Defendants, their businesses, or their goods or services are  
24 sponsored, licensed, authorized or endorsed by Lions Gate or *Dirty Dancing* or are  
25 connected or affiliated in some way with Lions Gate or *Dirty Dancing*;

26 b. Falsely implying Lions Gate's sponsorship, association,  
27 connection, affiliation, or endorsement of Defendants' businesses or engaging in any  
28 act or series of acts which, either alone or in combination, constitutes unfair

1 methods of competition with Lions Gate, and from otherwise interfering with or  
2 injuring the NOBODY PUTS BABY IN A CORNER trademark, or the goodwill  
3 associated with any of the foregoing;

4 c. Engaging in any act that is likely to dilute the distinctive  
5 quality of the NOBODY PUTS BABY IN A CORNER trademark and/or injures  
6 Lions Gate's business reputation;

7 d. Representing or implying that Defendants are in any way  
8 sponsored by, affiliated, connected or associated with, or endorsed or licensed by,  
9 Lions Gate or *Dirty Dancing*; or

10 e. Knowingly assisting, inducing, aiding, or abetting any  
11 other person or business entity in engaging in or performing any of the activities  
12 referred to in paragraphs 2(a) to (d) above.

13 3. Ordering that Defendants permanently remove all reference to the  
14 NOBODY PUTS BABY IN A CORNER trademark, the Infringing Artwork, and  
15 any other mark, name, symbol, or logo that is confusingly similar to the NOBODY  
16 PUTS BABY IN A CORNER trademark from Defendants' and their affiliates'  
17 websites, Facebook, and Twitter pages, YouTube, and any and all other social  
18 networking sites;

19 4. Ordering that Defendants permanently remove and destroy all  
20 marketing, advertising material, and television commercials comprising the  
21 Advertising Campaign or other materials featuring the NOBODY PUTS BABY IN  
22 A CORNER trademark or a modification thereof, the Infringing Artwork, or any  
23 other name, mark, logo, design, or the like confusingly similar thereto;

24 5. Granting an award of damages suffered by Lions Gate according to  
25 proof at the time of trial;

26 6. Ordering that Defendants account to Lions Gate for any and all profits  
27 earned as a result of Defendants' acts of infringement and unfair competition in  
28 violation of Lions Gate's rights under the Lanham Act, Cal. Bus. & Prof. Code §§

1 14247, 17200, *et seq.*, and the common law;

2 7. Granting an award of three times the amount of compensatory damages  
3 and increased profits pursuant to 15 U.S.C. § 1117;

4 8. Granting an award of punitive damages for the willful and wanton  
5 nature of Defendants' aforesaid acts;

6 9. For pre-judgment interest on any recovery by Lions Gate;

7 10. Granting an award of Lions Gate's costs, expenses, and attorneys' fees;  
8 and

9 11. Granting such other and further relief as is just and proper.

10  
11 Respectfully submitted,

12 SHEPPARD, MULLIN, RICHTER &  
13 HAMPTON LLP

14  
15 Dated: July 2, 2015

By /s/ Jill M. Pietrini  
Jill M. Pietrini

16  
17 Attorneys for Plaintiff Lions Gate  
18 Entertainment Inc.

19 **JURY DEMAND**

20 Lions Gate demands a trial by jury of all issues triable by jury.

21 Respectfully submitted,

22 SHEPPARD, MULLIN, RICHTER &  
23 HAMPTON LLP

24  
25 Dated: July 2, 2015

By /s/ Jill M. Pietrini  
Jill M. Pietrini

26  
27 Attorneys for Plaintiff Lions Gate  
28 Entertainment Inc.

SMRH:439822706.2

# EXHIBIT A



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Jul 2 03:21:39 EDT 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)  
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

Logout

Please logout when you are done to release system resources allocated for you.

Start

List At:

OR

Jump

to record:

**Record 1 out of 3**

[TSDR](#)

[ASSIGN Status](#)

[TTAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# NOBODY PUTS BABY IN A CORNER

**Word Mark** NOBODY PUTS BABY IN A CORNER

**Goods and Services** IC 016. US 002 005 022 023 029 037 038 050. G & S: (Based on intent to use) Address books; appointment books; art papers; art pictures; autograph books; binders; book covers; bookmarks; books relating to motion pictures, music, dancing, and theatrical productions; calendars; clipboards; coloring books; decals; decorative paper centerpieces; paper door hangers; dry erase writing boards and writing surfaces; folders; framed art prints; gift cards without magnetic encoding; gift wrapping paper; greeting cards; kits containing party supplies, namely, paper napkins, paper decorations, paper or plastic plates, cups and table covers, and plastic utensils, namely, forks, spoons and knives; lithographs; magazines relating to motion pictures, music, dancing, and theatrical productions; money clips; note cards; notebooks; paper bags; paper banners; paper coasters; paper emblems; paper flags; paper napkins; paper party decorations; paper place mats; pencil cases; photograph albums; photographs mounted as life-size cardboard cutouts; poster books; scrapbook albums; sheet music; song books; stationery; souvenir programs relating to theatrical productions; temporary tattoo transfers; trading cards; writing instruments; (Based on use in commerce) Blank journals; postcards; posters; stickers. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000

**Standard Characters Claimed**

**Mark**

**Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

86387237

**Filing Date**

September 6, 2014

**Current Basis**

1A;1B



**Original** 1A;1B

**Filing Basis**

**Published**

**for** March 31, 2015

**Opposition**

**Owner** (APPLICANT) Lions Gate Entertainment Inc. CORPORATION DELAWARE 2700 Colorado Avenue, Suite 200 Santa Monica CALIFORNIA 90404

**Attorney of Record** Jill M. Pietrini

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

---

<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)





United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Jul 2 03:21:39 EDT 2015

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST
NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

Please logout when you are done to release system resources allocated for you.

List At:  OR  to record:  **Record 2 out of 3**

( Use the "Back" button of the Internet Browser to return to TESS)

# NOBODY PUTS BABY IN A CORNER

**Word Mark** NOBODY PUTS BABY IN A CORNER

**Goods and Services** IC 025. US 022 039. G & S: (Based on Intent to Use) Clothing, namely, aprons, baby bibs of cloth or plastic, bandanas, beach cover-ups, bicycle gloves, bolo ties, cardigans, culottes, do rags, dresses, jackets, jeans, jerseys, leggings, lingerie, loungewear, mock turtle necks, neckties, neckwear, outerwear in the nature of wraps, overalls, overcoats, pants, ponchos, rainwear, robes, sarongs, sashes, scarves, shawls, shorts, skirts, skiwear, skorts, sleepwear, socks, sports bras, suits, surf wear, suspenders, sweat bands, sweatpants, sweaters, swimwear, tennis wear, track pants, undergarments, vests, wetsuits, wind resistant jackets, windshirts, and yoga pants; wrist bands made of cloth, leather or imitation leather; belts; headwear; footwear; (Based on Use in Commerce) Clothing, namely, t-shirts, hooded shirts, infantwear, maternity shirts, shirts, sweatshirts, and tank tops. FIRST USE: 19870000. FIRST USE IN COMMERCE: 19870000

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86387239

**Filing Date** September 6, 2014

**Current Basis** 1A;1B

**Original Filing Basis** 1A;1B

December 16, 2014

**Published  
for  
Opposition**

**Owner** (APPLICANT) Lions Gate Entertainment Inc. CORPORATION DELAWARE 2700 Colorado Avenue,  
Suite 200 Santa Monica CALIFORNIA 90404

**Attorney of  
Record** Jill M. Pietrini

**Type of  
Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

---

<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Thu Jul 2 03:21:39 EDT 2015

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [BOTTOM](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)  
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At:  OR [Jump](#) to record:  **Record 3 out of 3**

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) ( Use the "Back" button of the Internet Browser to return to TESS)

# NOBODY PUTS BABY IN A CORNER

**Word Mark** **NOBODY PUTS BABY IN A CORNER**

**Goods and Services** IC 021. US 002 013 023 029 030 033 040 050. G & S: (Based on Intent to Use) Candle holders; charms for attachment to beverage glassware for identification purposes; coasters not of paper and not table linen; cocktail platters; cocktail shakers; containers for household or kitchen use; cookie jars; cutting boards; decanters; decorative ceramic tiles not for use as building materials; decorative plates; dinnerware; drinking steins; flasks; hair brushes; hair combs; lunch bags not of paper; lunch boxes with thermal containers; meal trays; napkin holders; pet feeding dishes; tea canisters; thermal insulated containers for food or beverage for domestic use; thermal insulated sleeves for beverage cans; travel mugs; (Based on Use in Commerce) Beverageware; plastic water bottles sold empty. FIRST USE: 20121200. FIRST USE IN COMMERCE: 20121200

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 86387238

**Filing Date** September 6, 2014

**Current Basis** 1A;1B

**Original Filing Basis** 1A;1B

December 16, 2014

**Published  
for  
Opposition**

**Owner** (APPLICANT) Lions Gate Entertainment Inc. CORPORATION DELAWARE 2700 Colorado Avenue,  
Suite 200 Santa Monica CALIFORNIA 90404

**Attorney of  
Record** Jill M. Pietrini

**Type of  
Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead  
Indicator** LIVE

---

<a href="#">TESS HOME</a>	<a href="#">NEW USER</a>	<a href="#">STRUCTURED</a>	<a href="#">FREE FORM</a>	<a href="#">BROWSE DICT</a>	<a href="#">SEARCH OG</a>	<a href="#">TOP</a>	<a href="#">HELP</a>	<a href="#">PREV LIST</a>	<a href="#">CURR LIST</a>
<a href="#">NEXT LIST</a>	<a href="#">FIRST DOC</a>	<a href="#">PREV DOC</a>	<a href="#">NEXT DOC</a>	<a href="#">LAST DOC</a>					

---

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

# EXHIBIT B





# Nobody puts your old 401(k) in the corner.

Get step-by-step rollover assistance.

We know bringing your retirement assets together can be a hassle. It's why we have rollover consultants on hand to help you with the paperwork and assist in transitioning from your old provider. How easy is that?

Get up to \$600 when you roll over your old 401(k).

Call TD Ameritrade at 800-464-9272 or go to [tdameritrade.com/rollover](http://tdameritrade.com/rollover) for details.



A rollover is not your only alternative when dealing with old retirement plans. Please visit [tdameritrade.com/rollover](http://tdameritrade.com/rollover) for more information on rollover alternatives.

All investments involve risk, and successful results are not guaranteed. Offer valid through 04/30/2015. Funding of \$25,000–\$99,999 receives \$100; funding of \$100,000–\$249,999 receives \$300; and funding of \$250,000 or more receives \$600. Cash bonus subject to twelve-month funding duration condition. See Web site for details and other restrictions/conditions. This is not an offer or solicitation in any jurisdiction where we are not authorized to do business. TD Ameritrade, Inc., member FINRA/SIPC. TD Ameritrade is a trademark jointly owned by TD Ameritrade IP Company, Inc. and The Toronto-Dominion Bank. © 2015 TD Ameritrade IP Company, Inc. All rights reserved. Used with permission.

facebook

Sign Up

Email or Phone

Password

Log In

☒ Keep me logged in

[Forgot your password?](#)

## Timeline Photos

[Back to Album](#) · [TD Ameritrade's Photos](#) · [TD Ameritrade's Page](#)

[Previous](#) · [Next](#)



### TD Ameritrade

Nobody puts your old 401k in a corner. Take that baby and roll it over to an IRA. Then show us your retirement happy dance. <http://amtd.us/HcJ2>

October 13, 2014

Hortencia Lopez, Suzi Lilith Berry, Betty Falcon and 820 others like this. [Top Comments](#)

58 shares

**Dorothy Reddy Baker** I have a 401k and have been considering moving it into something else. I want to retire in 2 years.

1 · October 14, 2014 at 2:38pm

3 Replies

**Tonita Haynes** Keep receiving 401k info from my job in the mail and I know absolutely nothing about it.. Coworkers say don't do it the company doesn't match whatever that means!!! Help!!!

1 · October 14, 2014 at 2:12pm

5 Replies

**Jan Toussaint** I " Definitely Did " and have never been happier 😊 !!! I ❤️ the freedom of being able to make my own investment choices and not having hidden fees/redemption fees/and commission ( I pay no commission ) sucked out of my portfolio unlike what happens in a 401k . I will be " Happy Dancing " to the beat of my own investment drum worry free 😊 !

October 15, 2014 at 7:59am · Edited

2 Replies

**Robert Uselton** Ha you have too many documents and hoops to jump thru to rollover anything.

October 14, 2014 at 11:56am

1 Reply

**Oneal Webb** It's not time for that yet...

Album: [Timeline Photos](#)

Shared with: Public

[Open Photo Viewer](#)

[Download](#)

[Embed Post](#)





Questions, cant we roll over a potion instead?  
And what can TD shear with us about compounding?  
October 13, 2014 at 9:26pm

1 Reply



**Mark Newell Douglas** Been doing biz with them for 15 years.  
3 · October 13, 2014 at 6:42pm

1 Reply



**Dav West Brook** If i had money toinvest i would need to  
1 · October 14, 2014 at 1:12pm



**Mohamed Ahmed Rmdan** hi i'm mohamed i'm studying cfa and i'm  
from egypt live in dubai  
i just want know that if i can open an account can i ?  
1 · October 13, 2014 at 8:12pm



**David Bausch** if you had invested in gold just four years ago you  
would have doubled your money  
2 · October 13, 2014 at 8:27pm



**Sheila Henderson** Thanks cousin  
October 15, 2014 at 6:52am



**Diane WaitsmanZophin** I like the Casino!  
October 14, 2014 at 10:46am



**Renee Schuster Clepper** Hmmm...makes u wonder ?  
October 14, 2014 at 10:12am



**Oneal Webb** Thank you...  
Will do so...  
October 14, 2014 at 7:18am



**Dede Ramella** looks like Obama has it?  
October 13, 2014 at 10:27pm



**Steven Friedman** Not sure it's compliant either  
October 13, 2014 at 6:31pm



**Steven Friedman** That is gimicky  
October 13, 2014 at 6:31pm

[Sign Up](#) [Log In](#) [Mobile](#) [Find Friends](#) [Badges](#) [People](#) [Pages](#) [Places](#) [Games](#)  
[Locations](#) [About](#) [Create Ad](#) [Create Page](#) [Developers](#) [Careers](#) [Privacy](#) [Cookies](#) [Terms](#)  
[Help](#)

Facebook © 2015  
English (US)

24/7 Help, Call 800-669-3900

Carefully consider the investment objectives, risks, charges and expenses of any investment company before investing. A prospectus, obtained by calling 800-669-3900, contains this and other important information. Read carefully before investing.

TD Ameritrade, Inc., member FINRA/SIPC. TD Ameritrade is not affiliated with Twitter and has no control over how Twitter or other third parties will use the information you share on the site. Any retweets of third party content or following of users provided should not be construed as an endorsement of any services, products, guidance, individuals or points of view by TD Ameritrade. The Twitter channel and tweets are for US residents only.



Search Twitter



TD Ameritrade  
@TDAmeritrade

Follow

Nobody puts your old 401k in a corner.  
Take that baby & roll it over to an IRA. Do a  
#retirement happy dance.



RETWEETS 11 FAVORITES 17



11:45 AM - 13 Oct 2014

Don't miss any updates from TD Ameritrade

Full name

Email

Password

Sign up for Twitter

© 2015 Twitter About Help Ads info



[YouTube](#)
[🔊](#)
[Language: English ▾](#)
[Country: Worldwide ▾](#)
[Safety: Off ▾](#)
[🕒 History](#)
[🔍 Help](#)

[About](#)
[Press](#)
[Copyright](#)
[Creators](#)
[Advertise](#)
[Developers](#)
[+YouTube](#)

[Terms](#)
[Privacy](#)
[Policy & Safety](#)
[Send feedback](#)
[Try something new!](#)